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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

Applications in Internet Time, LLC,  
 Plaintiff,  
 v.  
 Salesforce.com, Inc.  
 Defendant.

Case No. 3:13-CV-00628-RCJ-CLB

**STIPULATION AND ORDER TO  
 EXTEND TIME TO COMPLETE  
 FACT AND EXPERT  
 DISCOVERY**

**(FIRST REQUEST)**

Pursuant to Local Rules IA 6-1 and 26-3, the parties, by and through their respective counsel of record, hereby stipulate and request that this Court extend certain deadlines for Plaintiff Applications in Internet Time, LLC (“AIT”) and Defendant Salesforce, Inc. (“Salesforce”) to complete fact and expert discovery. This is the first stipulation to extend time to take discovery.

**(a) Discovery Completed to Date**

The parties have substantially completed document production and exchanged privilege logs. AIT has taken the deposition of one fact witness. The parties have also served all written discovery and agreed not to propound additional interrogatories, requests for production, or requests for admission).

**(b) Discovery to be Completed**

The parties need to complete fact discovery (response to interrogatories, requests for admission, and most depositions) and conduct expert discovery.

**(c) Cause for the Extension**

The parties need to schedule a total of approximately 10 additional depositions prior to the completion of fact discovery, including several third-party witnesses. Due to the personal and work schedules of some of the fact witnesses it will be challenging to schedule all depositions within the current fact discovery schedule. The parties agree that extending the period of fact discovery by three weeks will ease scheduling, lessen the burden on fact witnesses, and allow a more complete development of the evidence in this action.

**(d) Proposed Schedule for Completing All Remaining Discovery**

The parties propose extending each of the dates for completion of fact discovery, service of opening expert reports, and service of rebuttal expert reports by three weeks. As such, the period for expert discovery will not be impacted, except that expert depositions will be scheduled over a period of approximately five weeks instead of eight weeks. The parties agree that five weeks are ample time to schedule expert depositions. The schedule for summary judgment and *Daubert* briefings and the projected trial date will not be impacted.

The proposed schedule is as follows:


Event	Current Deadline	New Deadline
Completion of fact discovery	May 6, 2022	May 27, 2022
Expert disclosures on issues for which a party bears the burden of proof	June 9, 2022	June 30, 2022
Rebuttal expert disclosures	July 8, 2022	July 29, 2022
Completion of expert discovery	September 2, 2022	<i>No change</i>
Opening summary judgment/ <i>Daubert</i> briefs	September 30, 2022	<i>No change</i>
Response summary judgment/ <i>Daubert</i> briefs	October 21, 2022	<i>No change</i>
Reply summary judgment/ <i>Daubert</i> briefs	November 4, 2022	<i>No change</i>
Summary judgment/ <i>Daubert</i> hearing	TBD by Court	<i>No change</i>
Trial	March 2023 (subject to convenience of the Court)	<i>No change</i>

### ORDER

**IT IS HEREBY ORDERED** that the case shall proceed on the foregoing schedule.

**IT IS SO ORDERED.**

**DATED:** April 22, 2022.

  
United States Magistrate Judge